

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

DOROTHY MANZY,

Plaintiff,

V.

**MONTGOMERY HOUSING
AUTHORITY, and LANE BOGGS, in his
individual capacity and official capacity,**

Defendants.

CASE NO. 2:05-cv-395-ID-SRW

MOTION TO COMPEL

Montgomery Housing Authority (“Defendant”) moves this Court to compel Plaintiff to provide Defendant with initial disclosures and responses to Defendant’s written discovery requests. In support of this motion, Defendant states as follows:

1. Defendant served written discovery requests on Plaintiff on May 25, 2005.
2. Initial disclosures were due to Defendant on June 15, 2005 (twenty-one days after entry of the Court's Scheduling Order on May 25, 2005).
3. Plaintiff has not provided Defendant with discovery responses or responses to Defendant's discovery requests.
4. Defendant has written four letters to Plaintiff concerning the discovery requests and/or the initial disclosures. Copies of these letters are attached as Exhibits A-D.
5. In two of the letters to Plaintiff, Defendant requested an in-person meeting to discuss the overdue discovery responses (see Exhibits A and D).

6. Defendant has not received Plaintiff's initial disclosures or discovery responses, and Plaintiff has not provided Defendant with any available dates on which the parties can meet in person to discuss this discovery dispute.

7. The discovery deadline in this case is March 1, 2005. Defendant needs Plaintiff's discovery responses and initial disclosures in order to move forward with Plaintiff's deposition and to determine whether additional discovery requests are needed. Defendant must serve any additional discovery requests by January 30 to allow Plaintiff enough time to respond to the requests before the March 1st discovery cutoff.

WHEREFORE, PREMISES CONSIDERED, Defendant respectfully requests this Court to compel Plaintiff to provide her initial disclosures and to respond to the Defendant's discovery requests.

Respectfully submitted,

s/ Angela R. Rogers

Charles A. Stewart III (STE067)

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**Attorneys for Defendant Montgomery Housing
Authority**

CERTIFICATE OF SERVICE

I hereby certify that on January 9, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Norman Hurst, Jr., Esq.
462-A Sayre Street
Montgomery, AL 36104

and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants: not applicable.

s/ Angela R. Rogers

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